

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0103-01  
Bill No.: HB 99  
Subject: Agriculture and Animals, Agriculture Department  
Type: Original  
Date: January 24, 2011

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Bill Summary: This proposal limits the applicability of the Puppy Mill Cruelty Prevention Act to facilities licensed after November 2, 2011

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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## **FISCAL ANALYSIS**

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### **ASSUMPTION**

Officials at the **Department of Agriculture** state the legislation would require commercial dog breeders that license after November 2, 2011 to meet an additional standard of care that would increase the costs of compliance.

The program would need additional staff to meet the additional requirements brought into effect on animal care facilities that begin operation after November 2, 2011. However, it is too speculative to predict the number of commercial dog breeders that will come into existence after November 2, 2011. The cost for IT-related services and products would be directly related to the number of additional personnel required to inspect the new animal care facilities, which is unknown. Therefore the impact on the agency is unknown.

**Oversight** assumes the estimated costs of implementing Section 273.345 RSMo. (Proposition B, 2010) that were submitted to the State Auditor, in December, 2009 would be reduced and a cost avoidance would occur since commercial dog breeders in existence before November 2, 2011 would be exempt. The amount of savings is unknown. However, the Department of Agriculture would incur costs for compliance for all additional new commercial dog breeders after November 2, 2011.

**Oversight** assumes the number of new commercial dog breeders after November 2<sup>nd</sup>, 2011 would be minimal and the costs associated with compliance of these new breeders could be absorbed by the department.

Officials at the **State Public Defender's Office** assumes for the purpose of the proposed legislation, and as a result of excessive caseloads, the Office of the State Public Defender cannot assume existing staff will provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime of puppy mill cruelty, a new class C misdemeanor, unless the defendant has previously pled guilty to or been found guilty of a violation of this section, in which case each such violation is a class A misdemeanor. The Missouri State Public Defender System is currently operating in a crisis mode with caseloads far in excess of any recognized standard.

### **ASSUMPTION** (Continued)

KB:LR:OD

Passage of legislation increasing penalties on existing crimes or creating new crimes will require the State Public Defender System to further overextend already overextended resources. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Office of the State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases.

**Oversight** assumes the State Public Defender's Office can absorb the additional caseload that may result from this proposal.

Officials at the **Office of the Attorney General** assumes that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Office of Secretary of State** and **Office of Prosecution Services** assumes there is no fiscal impact from this proposed legislation.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

#### FISCAL IMPACT - Small Business

Direct fiscal impact to new small commercial dog breeding businesses would be expected as a result of this proposal after November 2, 2011.

#### FISCAL DESCRIPTION

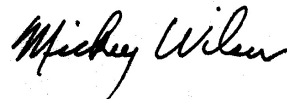
KB:LR:OD

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Agriculture  
State Public Defender's Office  
Office of Secretary of State  
Office of Prosecution Services  
Office of State Courts Administrator  
Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
January 24, 2011